



PATENT
Q174-US1

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Vladimir ZOLOTNIK et al.

Serial No: 10/630,541

Filed: July 29, 2003

For: BATTERY ELECTRODE ASSEMBLY
AND FABRICATION METHOD
THEREFOR

Art Unit: N/A

Examiner: N/A

**TRANSMITTAL OF
INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

I hereby certify that this correspondence
is being deposited with the United States
Postal Service with sufficient postage as
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P.O. Box 1450
Alexandria VA 22313-1450, on

May 13, 2004

Date of Deposit

Kathy Hinckley

Name

Signature

5/13/2004
Date

Dear Sirs:

1. ☒ The information disclosure statement submitted herewith is being filed within three months of the filing date of the application other than a continued prosecution application, or within three months of the date of entry into the national stage of an international application, or before the mailing date of a first Office Action on the merits, or before the mailing of a first Office action after the filing of a request for continued examination under §1.114, whichever event occurs last. 37 C.F.R. §1.97(b).
2. ☐ The information disclosure statement transmitted herewith is being filed *after* the period specified in §1.97(b), but *before* the mailing date of a final action under §1.113, or a notice of allowance under §1.311, or an action that otherwise closes prosecution in the application, whichever occurs first. A statement specified in §1.97(e) or a fee set forth in §1.17(p) is included. 37 C.F.R. §1.97(c).

§1.97(e) STATEMENT

I, the person signing below, state:

- ☐ that each item of information contained in the information disclosure statement was first cited in the attached communication from a foreign patent office in a counterpart foreign application and that the communication is dated not more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(1).

OR

- ☐ that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in §1.56(c) more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(2).

OR FEE

- ☐ Attached is a fee set forth in 37 C.F.R. §1.17(p) for submission of an information disclosure statement under §1.97(c). (\$180.00).
 - ☐ Please charge the fee set forth in 37 C.F.R. §1.17(p) for submission of an information disclosure statement under §1.97(c) (\$180.00), and charge any insufficiency or credit any overpayment, to the credit card identified on Form PTO 2038 submitted herewith. If no Form PTO 2038 is being submitted, or if for any reason the credit card so identified is refused, please charge the necessary amount to Deposit Account No. 50-0921, referencing docket number Q174-US1. A copy of this petition is enclosed.
3. ☐ The information disclosure statement transmitted herewith is being filed *after* the period specified in §1.97(c), but before, or simultaneously with the payment of the issue fee. A statement specified in §1.97(e) and a fee set forth in §1.17(p) are included. 37 C.F.R. §1.97(d).

§1.97(e) STATEMENT

I, the person signing below, state:

- ☐ that each item of information contained in the information disclosure statement was first cited in the attached communication from a foreign patent office in a counterpart foreign application and that the communication is dated not more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(1).

OR

- ☐ that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in §1.56(c) more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(2).

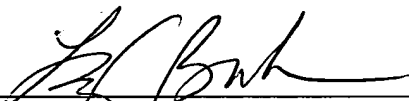
AND FEE

- ☐ Attached is a fee set forth in 37 C.F.R. §1.17(p) for submission of an information disclosure statement under §1.97(d). (\$180.00).
 - ☐ Please charge the fee set forth in 37 C.F.R. §1.17(p) for submission of an information disclosure statement under §1.97(c) (\$180.00), and charge any insufficiency or credit any overpayment, to the credit card identified on Form PTO 2038 submitted herewith. If no Form PTO 2038 is being submitted, or if for any reason the credit card so identified is refused, please charge the necessary amount to Deposit Account No. 50-0921, referencing docket number Q174-US1. A copy of this petition is enclosed.
4. The filing of an information disclosure statement shall not be construed to be an admission that the information cited in the statement is, or is considered to be, material to patentability as defined in § 1.56(b) [37 C.F.R. § 1.97(h)]. Further, applicants make no admission that all references presented here are prior art in relation to the present application.

5. If it should be determined that for any reason either an insufficient fee or an excessive fee has been paid, please charge any insufficiency or credit any overpayment necessary to ensure consideration of the information disclosure statement for the above-identified application to the credit card identified on Form PTO 2038 submitted herewith. If no Form PTO 2038 is being submitted, or if for any reason the credit card so identified is refused, please charge the necessary amount to Deposit Account No. 50-0921, referencing docket number Q174-US1. **A copy of this petition is enclosed.**
6. A list of 5 reference(s) is in the enclosed Form PTO-1449. 5 reference(s) are enclosed.
- ☐ Pursuant to 37 C.F.R. § 1.98(d), a copy / copies of some of the listed reference(s) is / are not provided since it is / they are of record in parent application Serial No. filed , the benefit of the filing date of which is claimed herein under 35 U.S.C. § 120.
- ☐ The instant application having been filed after June 30, 2003, copies of U.S. references are omitted pursuant to 1276 Off. Gaz. Pat. Off. 55, 8/5/2003: "The Office hereby waives the requirement under 37 CFR 1.98 (a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication for all U.S. national patent applications filed after June 30, 2003 and for all international applications that have entered the national stage under 35 USC 371 after June 30, 2003. See 37 CFR 1.491(b)."

Respectfully submitted,

Date: May 13, 2004

By: 
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| Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i> | | | | <u>Complete if Known</u> | |
| | | | | Application Number | 10/630,541 |
| | | | | Filing Date | July 29, 2003 |
| | | | | First Named Inventor | Vladimir ZOLOTNIK et al. |
| | | | | Art Unit | N/A |
| | | | | Examiner Name | N/A |
| Sheet | 1 | of | 1 | Attorney Docket number | Q174-US1 |

US PATENT DOCUMENTS

| Examiner Initials | Document Number | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document |
|----------------------|--------------------|--------------------------------|---|
| | Number - Kind Code | | |
| | US-5,522,851A | 06-04-1996 | Fayram |
| | US-6,617,823B2 | 09-09-2003 | O'Connell |
| | US-6,627,347B2 | 09-30-2003 | Fukuda et al. |
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FOREIGN PATENT DOCUMENTS

| Examiner Initials | Foreign Patent Document | | | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | English Abstract | Machine Translation | Entire Document |
|-------------------|-------------------------|---------|------|--------------------------------|---|------------------|---------------------|-----------------|
| | Office | Number | Kind | | | | | |
| | EP | 0715867 | A2 | 06-12-1996 | Ventritex, Inc. | | | X |
| | EP | 0715867 | A3 | 02-04-1998 | Ventritex, Inc. | | | X |
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OTHER DOCUMENTS

| Examiner Initials | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, cite and/or country where published |
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| Examiner Signature | | Date Considered | |
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